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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Hans HUNDEGGER

Confirmation No.: 1079

Serial No.: 10/728,773

Group Art Unit: 3725

Filed: December 8, 2003

Examiner: Bena B Miller

For: METHOD AND WORKING
INSTALLATION FOR THE WORKING OF
WOOD WORKPIECES

PETITION UNDER 37 CFR 1.181

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a Petition Under 37 CFR 1.181 to withdraw the abandonment of the above-referenced application. This Petition is filed in response to a Notice of Abandonment mailed January 15, 2009. The abandonment occurred through failure to timely pay the Issue Fee and Publication Fee. The Notice of Allowance mailed September 22, 2008 was never received by the undersigned counsel or his office. The facts are as follows:

- 1) The first knowledge counsel had of this case being allowed was when we received the Notice of Abandonment mailed January 15, 2009.
- 2) Counsel has inquired and searched in all of the applicable places at his law office and cannot find any receipt of the Notice of Allowance. To the best of Counsel's

knowledge, the Notice of Allowance mailed September 22, 2008 was never received.

- 3) Counsel uses Computer Packages Inc (CPI) docketing system. Exhibit A is a printout of the CPI docket for this particular case. Upon receipt of any document from the Patent and Trademark Office, the item is docketed with the mail date, due date, and call ups. There is no docket for receipt of the Notice of Allowance on December 22, 2008. A response to an official letter was filed August 8, 2008. The only outstanding docket date was February 8, 2009 for a status check. There are two people in Counsel's docketing department. Every piece of PTO mail goes through this department. The first person docketes the action in CPI and the second person double checks the docketing.
- 4) Attached as Exhibit B is the docket printout for December 22, 2008, which would have been the date the Issue Fee was due, had we received the Notice of Allowance. Looking at Exhibit B, payment of the issue fee for this application is not docketed.
- 5) A copy of the front of undersigned counsels physical file is attached as Exhibit C. The last entry on that file was the Amendment filed August 8, 2008. If we had received the Notice of Allowance, it would have been entered in the space adjacent the word "Allowed."

For the reasons set forth above and the evidence attached, this Petition should be treated as Petition to Withdraw the Holding of Abandonment based on failure to receive the office action

under 37 CFR 1.181 and no fee should be required. However, should a fee be found necessary, authorization is herewith given to charge undersigned Counsel's Deposit Account 06-1358.

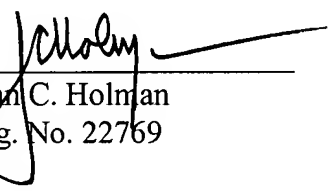
Attached hereto is the Fee Transmittal Form PTOL-85 along with Credit Card Form PTO-2038 for the appropriate amount of the Final Fees.

Early indication that this application has been revived, the fee paid, and the case is being processed for patenting is courteously requested.

Respectfully submitted,

JACOBSON HOLMAN PLLC

By: _____


John C. Holman
Reg. No. 22769

400 Seventh Street, N.W.
Washington, D.C. 20004-2201
(202) 638-6666
Atty. Docket: P69351US0
Date: March 10, 2008

Enclosures:

Exhibits A-C
PTOL-85
Credit Card Form



Country Application

Friday, January 23, 2009

Page: 1

Case Number: P69351US0 Country: US SubCase: 0
Client: CHARRIER, RAPP & LIEBAU United States of America
Case Type: ORD Application Status: Published
Application Number: 10728773 Filing Date: 08-Dec-2003
Publication Number: US20050121109A1 Publication Date: 09-Jun-2005
Patent Number: Issue Date:
Parent/PCT Number: Parent/PCT Date : 08-Dec-2003
Parent Issue Number: Parent Issue Date :
Tax Schedule: SE Expiration Date: 08-Dec-2023
Confirmation #: 1079 Patent Term Adjustment: 0
Owner:
Agent: Agent Reference #:

App.Title: METHOD AND MACHINING INSTALLATION FOR THE MACHINING OF
WOOD WORKPIECES

Family Reference: Inventors:
HUNDEGGER, Hans
Remarks:
Abstract:

JACOBSON HOLMAN
PLLC
EXHIBIT

A

List Of Actions

Action(s) Due	Due Date		Action Taken
EXPECTED MISSING PTS	08-Dec-2003	Due Date	08-Dec-2003
MUST FILE PER CLIENT	09-Dec-2003	Due Date	08-Dec-2003
ENGLISH TRANSLATION	03-Mar-2004	Due Date	03-Mar-2004
MISSING PARTS FILED	03-Mar-2004	Due Date	03-Mar-2004
FILING RECPT RECD ?	08-Mar-2004	Due Date	10-May-2004
Information Disclosure Stmtnt	08-Mar-2004	Due Date	01-Mar-2004
REQ FOR REFUND DUE	08-Mar-2004	Due Date	03-Mar-2004
SMALL ENTITY DECL.	08-Mar-2004	Due Date	03-Mar-2004
FILING RECPT RECD ?-FINAL	08-Jun-2004	Final	10-May-2004
Information Disclosure Stmtnt-F	08-Sep-2004	Final	01-Mar-2004
REFUND RECEIVED ?	03-Sep-2005	Due Date	12-Mar-2004
RESTRICTION DUE	05-Nov-2005	Due Date	28-Nov-2005
RESTRICTION DUE 1X	05-Dec-2005	Due Date	28-Nov-2005
OFFICE ACTION RECD?-FINAL	08-Dec-2005	Final	07-Oct-2005
RESTRICTION DUE 2X	05-Jan-2006	Due Date	28-Nov-2005
RESTRICTION DUE 3X	05-Feb-2006	Due Date	28-Nov-2005
STATUS CHECK	02-Mar-2006	Due Date	02-Sep-2005
RESTRICTION DUE 4X	05-Mar-2006	Due Date	28-Nov-2005
RESTRICTION DUE 5X	05-Apr-2006	Final	28-Nov-2005
RESPONSE DUE	06-May-2006	Due Date	28-Jun-2006
NEXT OFFICE ACTION ?	28-May-2006	Due Date	08-Feb-2006
RESPONSE DUE 1X	06-Jun-2006	Due Date	28-Jun-2006
RESPONSE DUE 2X	06-Jul-2006	Due Date	28-Jun-2006
RESPONSE DUE 3X	06-Aug-2006	Final	28-Jun-2006
RESTRICTION DUE	28-Oct-2006	Due Date	30-Oct-2006
RESTRICTION DUE 1X	28-Nov-2006	Due Date	30-Oct-2006
RESTRICTION DUE 2X	28-Dec-2006	Due Date	30-Oct-2006
RESTRICTION DUE 3X	28-Jan-2007	Due Date	30-Oct-2006
RESTRICTION DUE 4X	28-Feb-2007	Due Date	30-Oct-2006
2nd Request for Refund	09-Mar-2007	Due Date	09-Mar-2007
RESTRICTION DUE 5X	28-Mar-2007	Final	30-Oct-2006
RCE FILED	27-Apr-2007	Due Date	27-Apr-2007
Next Office Action Received?	30-Apr-2007	Status Check	14-Feb-2007

Country Application

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FINAL REJECTION DUE	05-May-2007	Due Date	27-Apr-2007
NOTICE OF APPEAL DUE	05-May-2007	Due Date	27-Apr-2007
FINAL REJECTION DUE 1X	05-Jun-2007	Due Date	27-Apr-2007
NOTICE OF APPEAL DUE 1X	05-Jun-2007	Due Date	27-Apr-2007
FINAL REJECTION DUE 2X	05-Jul-2007	Due Date	27-Apr-2007
NOTICE OF APPEAL DUE 2X	05-Jul-2007	Due Date	27-Apr-2007
FINAL REJECTION DUE 3X	05-Aug-2007	Final	27-Apr-2007
NOTICE OF APPEAL DUE 3X	05-Aug-2007	Final	27-Apr-2007
RESPONSE DUE	17-Oct-2007	Due Date	17-Oct-2007
Office Action Received?	27-Oct-2007	Status Check	19-Jul-2007
RESPONSE DUE 1X	17-Nov-2007	Due Date	17-Oct-2007
RESPONSE DUE 2X	17-Dec-2007	Due Date	17-Oct-2007
RESPONSE DUE 3X	17-Jan-2008	Final	17-Oct-2007
FINAL REJECTION DUE	07-Apr-2008	Due Date	07-Apr-2008
NOTICE OF APPEAL DUE	07-Apr-2008	Due Date	07-Apr-2008
Next Office Action Received?	17-Apr-2008	Status Check	09-Jan-2008
FINAL REJECTION DUE 1X	07-May-2008	Due Date	30-Apr-2008
NOTICE OF APPEAL DUE 1X	07-May-2008	Due Date	07-May-2008
ADVISORY ACTION RCVD	09-May-2008	Due Date	09-May-2008
INTERVIEW SUMMARY RCVD	09-May-2008	Due Date	09-May-2008
RCE FILED	05-Jun-2008	Due Date	05-Jun-2008
FINAL REJECTION DUE 2X	07-Jun-2008	Due Date	30-Apr-2008
NOTICE OF APPEAL DUE 2X	07-Jun-2008	Due Date	05-Jun-2008
FINAL REJECTION DUE 3X	07-Jul-2008	Final	30-Apr-2008
RESPONSE DUE	27-Sep-2008	Due Date	08-Aug-2008
RESPONSE DUE 1X	27-Oct-2008	Due Date	08-Aug-2008
RESPONSE DUE 2X	27-Nov-2008	Due Date	08-Aug-2008
Next Office Action Received?	05-Dec-2008	Status Check	30-Jun-2008
RESPONSE DUE 3X	27-Dec-2008	Final	08-Aug-2008
Next Office Action Received?	08-Feb-2009	Status Check	

Created By: TC

User ID: tcaudle

Date Created: 13-Nov-2003

Last Update: 28-Jun-2006

Monday, December 22, 2008

Due Date List By Date

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20-Dec-2008 To 22-Dec-2008

Due Date Indicator	Action Due Action Type	Case Number/SubCase Country	Status Client	App Number Pat/Reg	App/Eff Date	Attys
21-Dec-2008	PROPOSED FILING DATE	T37642US0 / 0 / United States of America	Unfiled CALIFORNIA CLOSET COMPANY, INC.			MCG

Trademark: LAGO

RD 2-MOS.

21-Dec-2008	PROPOSED FILING DATE	T37643US0 / 0 / United States of America	Unfiled			MCG
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Trademark: EXECFLEX

filed 12-19-08

22-Dec-2008	Send Cease and Desist Letter	M09764	Active			SLM MVC
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Final

CAMBRIDGE INFORMATION GROUP LP

RD to

12-30-08 per

MTC

Matter Title: Cybersquatting: refwork.com

Remarks: 3/14/2008 Per Judy email, move from 3/18/2008 to 4/18/2008.

5/27/2008 Per Judy email, move from 5/27/2008 to 6/3/2008 (1-week)

22-Dec-2008	DESTRUCTION DATE	P60856US0	EXPIRED	08908076	11-Aug-1997	HBJ
Due Date		United States of America	RUSSELL H. STANTON, JR.	6003329	21-Dec-1999	SCB

Title: COOLER INSERT FOR BAIT

22-Dec-2008	NOTICE OF APPEAL DUE	P63257US2 / 2	Pending	11134304	23-May-2005	HBJ
Due Date	NOTICE OF APPEAL	United States of America	COLOPLAST A/S			

Title: A METHOD FOR STERILIZING A MEDICAL DEVICE HAVING A HYDROPHILIC COATING

22-Dec-2008	RESTRICTION DUE IX	P66732US3 / 3	Published	11391413	29-Mar-2006	HBJ
Due Date	Restriction	United States of America	RICHARD AND ALLISON SAMPSON			NWV

Title: METHODS FOR MAKING CHLOROUS ACID AND CHLORINE DIOXIDE

Remarks: 11/22/2008 - Extend

JACOBSON HOLMAN

PILC

EXHIBIT

B

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Due Date List By Date

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20-Dec-2008 To 22-Dec-2008

Due Date Indicator	Action Due Action Type	Case Number/SubCase Country	Status Client	App Number Pat/Reg	App/Eff Date	Attys
22-Dec-2008	NOTICE OF APPEAL DUE 1X	P68584US0 / 0	Pending	10401033	28-Mar-2003	ASM
Due Date	NOTICE OF APPEAL	United States of America	SARGENT & GREENLEAF, INC.	<i>extended</i>		LJA
		<i>Title: LOCAL AND REMOTE MANAGEMENT OF LOCKS SYSTEMS FROM A NETWORK</i>				
		<i>Remarks: 11/22/2008 - Extend</i>				
22-Dec-2008	RESTRICTION DUE 1X	P69170US1 / 1 *	Published	11391475	29-Mar-2006	JCH
Due Date	Restriction	United States of America	JOHN A. O'BRIEN & ASSOCIATES			
		<i>Title: DEVICE FOR STAUNCHING POSTPARTUM HAEMORRHAGE</i>				
		<i>Remarks: 11/22/2008 - Extend</i>				
22-Dec-2008	RESPONSE DUE 2X	P69287US1 / 1 *	Pending	10725040	02-Dec-2003	JCH
Due Date	NON FINAL OFFICE ACTION	United States of America	A.J. PARK			
		<i>Title: FERTILISER COMPOSITION</i>				
		<i>Remarks: 10/22/2008 - Extend</i>				
		<i>11/22/2008 - Extend</i>				
22-Dec-2008	DESTRUCTION DATE	P69583US1 / 1	Transferred	10912570	06-Aug-2004	WEP
Final		United States of America	CABINET LAVOIX			JCH
		<i>Title: AORTIC RING AND ANCILLARY DEVICE FOR IMPLANTING IT</i>				
22-Dec-2008	RESPONSE DUE	P70055US0 / 0 *	Published	10506423	01-Dec-2004	WEP
Due Date	NON FINAL OFFICE ACTION	United States of America	VON KREISLER, SELTING, WERNER	<i>extended</i>		JCH
		<i>Title: USE OF UBIQUINONES FOR INFLUENCING HISTAMINE ACTIVITY</i>				
22-Dec-2008	RESPONSE DUE	P70329US0 / 0 *	Published	10518432	01-Aug-2005	JCH
Due Date	NON FINAL OFFICE ACTION	United States of America	A.J. PARK	<i>extended</i>		JCH
		<i>Title: IMMUNOGENIC POLYPEPTIDE ISOLATED FROM MYCOBACTERIUM AVIUM SUBSPECIES PARATUBERCULOSIS AND USES THEREOF</i>				

Monday, December 22, 2008

Due Date List By Date

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20-Dec-2008 To 22-Dec-2008

Due Date Indicator	Action Due Action Type	Case Number/SubCase Country	Status Client	App Number Pat/Reg	App/Eff Date	Attys
22-Dec-2008	NOTICE OF APPEAL DUE	P70596US0 / 0	Published	10542144	13-Jul-2005	HBJ
Due Date	NOTICE OF APPEAL	United States of America	FRESENIUS MEDICAL CARE AG			JCL

extend
Title: BICOMPARTMENT BAGS FOR HAEMODYALYSIS MACHINES AND A PROCESS FOR MANUFACTURING THEM

22-Dec-2008	Final	WRITTEN OPINION DUE	P71493WO0 / 0	Published	PCT/US2006/37931	29-Sep-2006	JCH
			Patent Cooperation Treaty	CHAO-CHENG LU			LVS

not filing per Bausa
Title: LUS SEMICONDUCTOR AND APPLICATION CIRCUIT

22-Dec-2008	Reminder	Send Instructions Foreign Office Action	P71495VN0 / 0	Pending	1-2005-00159	04-Feb-2005	NW
			Viet Nam	FASGEN, LLC			

Resp. due 12-27-08
Title: METHODS OF TREATING MICROBIAL INFECTIONS IN HUMANS AND ANIMALS

22-Dec-2008	Due Date	RESPONSE DUE	P71563US0 / 0	Published	11596193	13-Nov-2006	MRS
		NON FINAL OFFICE ACTION	United States of America	NOVAGRAAF PATENTS LTD.			

extend
Title: A CRUTCH

22-Dec-2008	Reminder	Renwal due in 12 mos.	T03330 / 0	Registered	72073322	11-May-1959	JLS
			United States of America	FILTRONA INTERNATIONAL LIMITED	690061	22-Dec-1959	

Trademark: FILTRONA

22-Dec-2008	Final	DESTRUCTION DATE	T08645 / 0	Abandoned	73047958	28-Mar-1975	SLM
			United States of America	BONTEX, INC.	1041760	22-Jun-1976	

Trademark: SURE-FOAM

Remarks: abandon per client email dtd 6/12/06

22-Dec-2008	Reminder	Renwal due in 12 mos.	T10275 / 0	Registered	72070188	25-Mar-1959	MGG
			United States of America	TBC BRANDS, LLC	690249	22-Dec-1959	

Trademark: GRAND PRIX & DESIGN

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20-Dec-2008 To 22-Dec-2008

Due Date Indicator	Action Due Action Type	Case Number/SubCase Country	Status Client	App Number Pat/Reg	App/Eff Date	Attys
22-Dec-2008 Final	DESTRUCTION DATE	T10652 / 0 United States of America	Abandoned DURATHERM WINDOW CORPORATION	73065692 1041786	14-Oct-1975 22-Jun-1976	HBJ
Trademark: DURATHERM & DESIGN						
22-Dec-2008	DESTRUCTION DATE	T14459 United States of America	Abandoned TARLOW, LEVY, MANDELL & KOSTIN	73370369 1243220	21-Jun-1983	HBJ
Trademark: CONNECTICUT SOCCER SCHOOL & DESIGN						
22-Dec-2008 Ren/Due	RENEWAL	T27448CR2 / 0 Costa Rica	Registered AMERICAN HEART ASSOCIATION, INC.	246-98 111399	14-Jan-1998 22-Dec-1998	SLM
Trademark: AMERICAN HEART ASSOCIATION HEART/TORCH DESIGN <i>Grace per Dawn</i>						
22-Dec-2008 Ren/Due	RENEWAL	T27448CR2 / 1 Costa Rica	Registered AMERICAN HEART ASSOCIATION, INC.	247-98 111399	14-Jan-1998 22-Dec-1998	SLM
Trademark: AMERICAN HEART ASSOCIATION HEART/TORCH DESIGN <i>Grace per Dawn</i>						
22-Dec-2008 Ren/Due	RENEWAL	T27448CR2 / 2 Costa Rica	Registered AMERICAN HEART ASSOCIATION, INC.	248-98 111395	14-Jan-1998 22-Dec-1998	SLM
Trademark: AMERICAN HEART ASSOCIATION HEART/TORCH DESIGN <i>Grace per Dawn</i>						
22-Dec-2008 Ren/Due	RENEWAL	T27448CR3 / 3 Costa Rica	Registered AMERICAN HEART ASSOCIATION, INC.	245-98 111394	14-Jan-1998 22-Dec-1998	SLM
Trademark: AMERICAN HEART ASSOCIATION HEART/TORCH DESIGN <i>Grace per Dawn</i>						

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Due Date List By Date

20-Dec-2008 To 22-Dec-2008

Due Date Indicator	Action Due Action Type	Case Number/SubCase Country	Status Client	App Number Pat/Reg	App/Eff Date	Attys
22-Dec-2008 Ren/Due	RENEWAL	T27448GR4/4 Costa Rica	Registered AMERICAN HEART ASSOCIATION, 111397 INC.	244-98	14-Jan-1998 22-Dec-1998	SLM
<i>Trademark:</i> AMERICAN HEART ASSOCIATION HEART/TORCH DESIGN <i>Grace per Dawn</i>						
22-Dec-2008 Status Check		T31295TH6/6 Thailand	Registered SPEEDLING, INC.	322860	22-Nov-1996 22-Nov-1996	ASM NAH
<i>Trademark:</i> SPEEDLING INCORPORATED & DESIGN <i>Remarks:</i> Instructions to ref-received? Discuss with Kim.						
22-Dec-2008 Final	DESTRUCTION DATE	T32250BR0/0 Brazil	Abandoned SOUTHERN WINE & SPIRITS OF AMERICA, INC.	823717615	13-Sep-2001	SLM
<i>Trademark:</i> SOUTHERN WINE & SPIRITS OF AMERICA, INC.						
22-Dec-2008 Due Date	DESTRUCTION DATE	T32704US0 United States of America	Not Filed PROTEL RECORDS			GWL GWL
<i>Trademark:</i> GRUPO MARAVILLA						
22-Dec-2008 Due Date	DESTRUCTION DATE	T32705US0 United States of America	Not Filed PROTEL RECORDS			GWL GWL
<i>Trademark:</i> LOS YES-YES						
22-Dec-2008 Due Date		T37467US0/0 United States of America	Unfiled YOSHIMURA & CO.			SLM
<i>Trademark:</i> MY CLARION						
22-Dec-2008 Due Date		T37663US0/0 United States of America	Unfiled PERFETTI VAN MELLE S.P.A.			HBJ
<i>Trademark:</i> CHUPA CHUPS & DESIGN <i>RD 1-MOS.</i>						

Client No. 6009
 Client Ref. 5870
6463

SMALL ENTITY

STATUS

CHARACTER APP. LIEBMAN

Client PEISTER & PEISTER Applicant(s) HANS HUNDEGGER

Title METHOD & WORKING INSTALLATION FOR THE WORKING OF
WOOD WORKPIECES

Serial No. 10728,773 Filing Date 12/8/03 PCT Chapter ☐ I ☐ II

Priority(s) NONE missed priority

Certified Copy Filed _____ PTO Ack. _____

PTO Communication	Date Due	Papers Filed	Date Due
Reg. for Refund	3/3/04	Sm ENT Dec., Reg. for Refund	3-3-04
		TRANS., English Translation	3-3-04
Restriction	5 Nov 05	XOT	
	12/5/05	Response/Pet. for EOT/CC for \$60-	11/25/05
Att. Nonl	6 FEB 06	XOT	
	6/6/06	Response	6/28/06
Att. Restriction	28 SEP 06	Response	10/30/06
	5/5/07	[RCE]	4/27/07
Att. Nonl	17 OCT 07	Amendment	10/17/07
Att. Restriction	7 APR 08	XOT	
	5/7/08	Amendment After Final Rejection, EOT	4/30/08
	6/7/08	[RCE] and fee and EOT	6/5/08

Allowed? Yes Final Fee Due _____ Final Fee Paid _____

Patent No. _____ Dated _____ Drawings Cu 1 _____

Interference / Litigation No. _____ Publication Date: June 9, 1985

Assignment / Change of Name	Information Recorded	Restriction
Recorded _____	Pending <u>Conf 12-2-03</u>	O/L Dated <u>5 Oct 05</u>
to <u>Hans Hundegger Maschinenbau</u>	Patented _____	File Div. See Lt. _____
<u>GmbH</u>	Assigned _____	Don't File See Lt. _____
Reel _____ Frame(s) _____	Abandoned _____	
Foreign Equiv. Ref. No(s). _____	Cross Reference / Prior	Cross Reference / Future
	File _____ SN _____	File _____ SN _____
	Filing Date _____	Filing Date _____
	R ⁶⁰ / Cont. _____ Div. _____	R ⁶⁰ / Cont. _____ Div. _____
IDS Filed 1st <u>3/1/04</u> 2nd _____	C.I.P. _____ Related _____	C.I.P. _____ Related _____

SMALL ENTITY STATUS

Small Entity YES ☒
 NO ☐

LAW OFFICES
 JACOBSON, PRICE, HOLMAN & STERN
 PROFESSIONAL LIMITED LIABILITY COMPANY
 THE JENIFER BUILDING
 400 SEVENTH STR. ET. N.W.
 WASHINGTON, D.C. 20004

P69351US0



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P 69351US0